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CLERK OF THE SHAWNEE COUNTY DISTRICT COURT
CASE NUMBER: 2021-CV-000189



Court: Shawnee County District Court

Case Number: 2021-CV-000189

Case Title: State of Kansas ex rel Derek Schmidt Atty General
vs. Kevin Edward Wilkinson, et al.

Type: Journal Entry of May 19, 2021 Hearing and
Temporary Restraining Order

SO ORDERED.

A handwritten signature in cursive script, reading "M.E. Christopher", followed by a long horizontal flourish.

/s/ Honorable Mary E Christopher, District Judge

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**IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
THIRD JUDICIAL DISTRICT**

STATE OF KANSAS, <i>ex rel.</i>,)	
DEREK SCHMIDT, Attorney General,)	
)	
Plaintiff,)	
)	Case No.: 2021-CV-000189
v.)	
)	
KEVIN E. WILKINSON, an individual)	
AND TOPEKA ROOFING AND)	
GUTTERS LLC,)	
)	
Defendants.)	
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(Pursuant to K.S.A. Chapter 60)

JOURNAL ENTRY OF MAY 19, 2021 HEARING
AND TEMPORARY RESTRAINING ORDER

NOW on this date, Plaintiff's Motion for a Temporary Restraining Order ("Plaintiff's Motion") filed by the State of Kansas, *ex rel.* Derek Schmidt, Kansas Attorney General, by and through counsel, Kimberley Davenport Megrail, Assistant Attorney General and Sarah Dietz, Assistant Attorney General, comes before the Court for hearing. Defendants appear by James Heathman.

After review of Plaintiff's Motion, the affidavit of Special Agent Richmeier, witness testimony, admitted Exhibit "A", arguments of Counsel and a review of the record, the Court

finds that the Plaintiff has met the burden necessary for the granting of a Temporary Restraining Order, pursuant to K.S.A. 50-631(e) against the Defendants and that a Temporary Restraining Order is necessary to prevent further harm to consumers and violations of the Kansas Consumer Protection Act.

IT IS ORDERED, ADJUDGED AND DECREED that Defendants are enjoined for the duration of this order, one month unless renewed by this Court upon application of the Plaintiff, from the following activities and practices in the state of Kansas:

- a. Advertising, soliciting, performing, accepting payments for, supervising, operating or in any manner conducting any business related to the sale of property or services, as defined in K.S.A. 50-624 including but not limited to gutter and roofing related services within the state of Kansas,
- b. Destroying any logs, registers, memorandum, record or any other document, including any such document stored in electronic format, related to Defendant's solicitation or performance of gutter and/or roofing related services in Kansas,
- c. Moving, liquidating or in any way releasing any funds obtained by Defendant as a result of any gutter and/or roofing related services performed in Kansas,
- d. Engaging in any corporate or non-corporate reorganization, reconstruction, dissolution, bankruptcy or any other business entity restructuring or reforming without prior, written notice to this Court and Plaintiff, and
- e. Pursuing any collection actions against the consumers listed in the Petition, including but not limited to filing a mechanic's liens against their property.

IT IS ORDERED, ADJUDGED AND DECREED that the Court authorizes agents and attorneys of the Office of the Kansas Attorney General to monitor Defendants' compliance with this Order pending further order of this Court or final resolution of this matter.

IT IS SO ORDERED.

**THIS ORDER IS EFFECTIVE AS OF THE DATE AND TIME OF ITS
ELECTRONIC FILING.**

**HONORABLE MARY E. CHRISTOPHER
DISTRICT COURT JUDGE**

Prepared and submitted by:

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